

Title 2

OFFICERS AND ADMINISTRATION*

* **Note to Title 2.** For administrative rules relevant to this title, look for a following "R" title of the same number.

Chapter 2.04

BOARD OF HEALTH

2.04.010 Findings.

The council finds that state law requires that the board of county commissioners be the board of health for the county. Under the provisions of the Washington constitution and the King County Charter the powers, authority and duties granted to and imposed on county officers by general law are vested in the legislative authority of the county unless expressly vested in specific officers by the charter. The charter does not vest in other officers the power to serve as the board of commissioners or the board of health, therefore it is appropriate to constitute the legislative authority of the county as the board of health.

(R&R 1 amdt. §1, 12-20-93)

2.04.020 Board of health.

Pursuant to RCW Chapter 70.05.030, as amended, the legislative authority of King County shall constitute the King County board of health. The rules and regulations of the board shall be adopted by ordinance.

(R&R 1 amdt. §2, 12-20-93)

2.04.030 Administration.

In accordance with RCW Chapter 70.05, the director of the department of public health is designated as the administrative officer of the board. If the director of public health does not meet the qualifications of a health officer as provided in RCW Chapter 70.05, the director shall employ a person so qualified to advise the director and the board on medical and public health matters.

(R&R 1 amdt. §3, 12-20-93)

2.04.120 Rules and regulations--Codification.

Within one (1) year after the effective date of the regulation codified in this chapter, and as often thereafter as the board deems necessary, the board through the administrative officer shall provide for a compilation and codification of all board of health rules and regulations which have

the force of law and are permanent and general in nature. Each codification shall be adopted by the board and shall be known as the "Code of the King County Board of Health." It shall be published with a detailed index and appropriate notices, citations and annotations. The administrative officer shall also provide for an annual supplement to the code encompassing all additional rules and regulations and rules and regulations as amended since the codification or previous supplement.
(R&R 1 §10, 6-7-85)

2.04.130 Rules and regulations--Availability.

All rules and regulations adopted by the board shall be reproduced and a copy provided to and retained by the clerk of the county council. Additionally, a copy shall be made available to the public at a site to be determined by the administrative officer. Copies of all previously adopted rules and regulations, singularly, or as codified, shall be supplied at cost to any citizen upon request.
(R&R 1 §11, 6-7-85)

2.04.140 Rules and regulations--Notice and hearing on adoption, amendment or repeal.

Prior to the adoption, amendment or repeal of any rule or regulation, the King County Board of Health shall conduct a public hearing on the subject of the proposed rules or regulations. The board shall give at least fourteen (14) days' notice of the proposed rules or regulations and hearing by one publication in the official newspaper of King County and by mailing notice to all persons or agencies who have made timely request of the board for advance notice of its rulemaking

proceedings. Moreover, if the subject of the proposed rule relates to a specific community or communities within the county, notice shall also be published in the local community newspaper, if any. The notice shall include:

- A. Reference to the authority under which the rule or regulation is proposed;
- B. A description of the terms or substance of the proposed rule or regulation or of the subjects and issues involved; and
- C. A statement of the time and place of the public hearing and the manner in which interested persons may present their views thereon.

(R&R No. 2 §1, 6-21-96)

2.04.150 Rules and regulations--Emergency adoption.

If the board finds that immediate adoption, amendment or repeal of a rule or regulation is necessary for the preservation of the public health, safety or general welfare, and that the observance of requirements of notice and hearing would be contrary to the public interest, the board may dispense with such requirements and adopt, amend or repeal the rule or regulation as an emergency rule or regulation. Such action shall become effective immediately upon its adoption by the board. An emergency rule or regulation shall not remain in effect for longer than ninety (90) days.

(R&R No. 2 §2, 6-21-96)

2.04.160 Rules and regulations--Effective date.

The effective date of a rule or regulation shall be thirty (30) days from the date of its adoption by the board unless a later date is specified therein. Emergency rules or regulations shall become effective immediately upon their adoption by the board.
(R&R No. 2 §3, 6-21-96)

2.04.170 Rules and regulations--Initiation of rulemaking.

Recommendations or proposals for establishing, amending or repealing rules or regulations may be initiated by board members, by public health officials or by interested persons. Such proposals shall be submitted to the local public health officer who shall be responsible for preparing them for board consideration.
(R&R No. 2 §4, 6-21-96)

2.04.180 Rules and regulations--Form.

All rules and regulations adopted by the board shall be drafted in a form following, as far as is practicable, the form of rules codified in the Code of the King County Board of Health. Rules and regulations shall be numbered sequentially in the order adopted.
(R&R No. 2 §5, 6-21-96)

Chapter 2.06 MISCELLANEOUS FEES

2.06.010 Construction and environmental review fees.

The director is authorized and directed to charge and collect from the applicant for construction or master use permits when health department review is required the indicated fees for services described below:

For environmental review of plans subject to the Washington State Environmental Policy Act (RCW 43.21C), two hundred fifty dollars (\$250.00) base fee, plus additional fee for actual review costs over and above two hundred fifty dollars (\$250.00).
(R&R No. 99-06 §2, 10-15-99; R&R 78 §1, 12-11-91)

Chapter 2.08 HAZARDOUS WASTE MANAGEMENT COORDINATION COMMITTEE

2.08.010 Findings and authority.

The board of health finds that it is in the interest of the preservation and promotion of public health that moderate risk wastes not be commingled with other solid waste nor placed into sewage disposal systems through which underground and surface waters may be contaminated. The board finds that enhanced public education and enforcement of existing regulations will reduce the quantity of moderate risk wastes entering the regular solid waste stream and sewage

disposal systems, and that additional funding is required for these enhancements. The board finds that a regional intergovernmental approach is best suited to these enhancements as described in the Local Hazardous Waste Management Plan for Seattle-King County.

Authority for this chapter is contained in RCW 70.05.060 and 70.95.160.
(R&R 66 §1(part), 4-2-91)

2.08.015 Certified hauler defined.

"Certified hauler" means any person engaged in the business of solid waste handling having a certificate granted by the Washington Utilities and Transportation Commission for that purpose.

(R&R 66 §1(part), 4-2-91)

2.08.020 Committee defined.

"Committee" means the Local Hazardous Waste Management Program's Management Coordination Committee established in Section 2.08.080 of this code.

(R&R No. 03-02 § 2, 1-24-2003: R&R 66 §1(part), 4-2-91)

2.08.025 Department defined.

"Department" means the Seattle/King County Department of Public Health.

(R&R No. 03-02 § 3, 1-24-2003: R&R 66 §1(part), 4-2-91)

2.08.030 Landfill defined.

"Landfill" means a disposal facility or part of a facility at which solid waste is placed in or on land and which is not a land treatment facility.

(R&R 66 amdt. §1, 10-3-94: R&R 66 §1(part), 4-2-91)

2.08.035 Moderate risk waste defined.

"Moderate risk waste" shall have the same meaning ascribed in RCW 70.105.010 (17).

(R&R 66 §1(part), 4-2-91)

2.08.040 Passenger licensed vehicle defined.

"Passenger licensed vehicle" means any motor vehicle licensed by the state of Washington or any other state or governmental entity as a passenger vehicle.

(R&R 66 §1(part), 4-2-91)

2.08.045 Self hauler defined.

"Self hauler" includes all vehicles that are neither passenger licensed vehicles nor vehicles used by certified haulers in their solid waste handling operations.

(R&R 66 §1(part), 4-2-91)

2.08.050 Septage defined.

"Septage" means a semisolid consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a septic tank system.

(R&R 66 §1(part), 4-2-91)

2.08.055 Sewage defined.

"Sewage" means any liquid or liquid-borne waste from the ordinary living processes, or liquid or liquid-borne waste which contains animal or vegetable matter in suspension or solution, or liquid or liquid-borne waste which contains chemical in suspension or solution, and which may be lawfully discharged into a public sanitary sewer.

(R&R 66 §1(part), 4-2-91)

2.08.060 Solid waste defined.

"Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, infectious waste, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, or contaminated excavated solid/fills material. This includes all liquid, solid and semisolid materials which are not the primary products of public or private, industrial, commercial, mining, and agricultural operations, except that for the purposes of this rule solid waste does not include source-separated recyclable materials.

(R&R 66 §1(part), 4-2-91)

2.08.065 Suburban city defined.

"Suburban city" means any incorporated city or town whose boundaries include territory within King County and which has entered into a solid waste interlocal agreement with King County pursuant to Chapter 10.08.130 of the King County Code.

(R&R 66 §1(part), 4-2-91)

2.08.070 Transfer station defined.

"Transfer station" means a staffed, fixed, supplemental collection and transportation facility used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a permanent disposal site.

(R&R 66 §1(part), 4-2-91)

2.08.075 Consistency with state law.

Unless the context clearly indicates otherwise, the words and phrases used in this title shall be construed so as to make it consistent with Chapter 70.105 RCW ("Hazardous Waste Management"), and with applicable rules and regulations promulgated thereunder.

(R&R No. 03-02 § 4, 1-24-2003; R&R 66 §1(part), 4-2-91)

2.08.080 Committee established--Membership.

The Local Hazardous Waste Management Program's Management Coordination Committee is hereby established. The committee shall be composed of five members:

- A. The director of the King County Department of Natural Resources - Solid Waste Division or his/her designee;
- B. The director of the City of Seattle Public Utilities or his/her designee;
- C. A representative appointed by the Suburban Cities Association;

D. The director of the King County Department of Natural Resources - Water and Land Resources Division or his/her designee; and

E. The director of the Seattle-King County Department of Public Health or his/her designee.

(R&R No. 03-02 § 5, 1-24-2003: R&R 66 §1(part), 4-2-91)

2.08.085 Powers of the committee.

A. The committee shall be responsible for accepting and recommending a management plan and budget for the reduction of moderate risk waste generation, its entry into the solid waste stream, entry into the liquid waste (sewage) stream, into storm drainage or surface waters, and evaporation into the air. The management coordination committee will develop an annual plan and budget and reach agreement on it through consensus of the entire committee. Lacking a consensus, a majority and a minority report will be forwarded to the King County Board of Health.

B. The committee shall recommend contracts with the city of Seattle, suburban cities, sewer districts located entirely or partially within King County, and King County, to implement portions of the management plan, in consideration of sums collected under Section 2.08.090 of this chapter.

(R&R No. 03-02 § 6, 1-24-2003: R&R 66 §1(part), 4-2-91)

2.08.090 Fees.

The following fees are established to provide funds for contracts authorized by Section 2.08.085(B):

A. Each private and public entity which bills for solid waste collection services shall pay an amount equivalent to sixty cents (\$0.60) per month for each residential customer in King County, and six dollars and seventy-seven cents (\$6.77) per month for each customer in King County which is not a residential customer. Billings from the department to each entity as above shall be based on actual customer data from the preceding calendar year.

B. Each operator of a sewage treatment plant serving more than fifty (50) customers shall pay an amount equivalent to twenty-five dollars and thirty-one cents (\$25.31) per million (1,000,000) gallons of sewage treated. Billings from the department to each operator as above shall be based on actual performance data from the preceding calendar year.

C. Each transfer station and landfill shall pay one dollar (\$1.00) for each passenger licensed vehicle load of solid waste brought to such transfer station or landfill.

D. Each transfer station and landfill shall pay two dollars and sixty-one cents (\$2.61) per ton for each load of solid waste brought to such transfer station or landfill by a self hauler.

Billings from the Department to each transfer station and landfill operator as above shall be based on actual performance data from the preceding calendar quarter.

All fees shall be billed and remitted to the department on a quarterly basis. All payments shall be due forty-five (45) days after receipt of bill.

(R&R 66 amdt. §2, 10-3-94: R&R 66 §1(part), 4-2-91)